IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL (ST)NO.16539 OF 2005

Arun Manohar Samat ...Appellant
Vs.
Harsha Arun Samat ...Respondent

Mr.R.T.Lalwani for Appellant
Mr. Sanjay Jain i/b. Mr. L.S.Jain for Respondent

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 16TH SEPTEMBER, 2005

P.C.

1. The Appellant and the Respondent have signed the consent terms and tendered them in the Court to pass an order accordingly. The Advocates on record of both the parties have also signed them. The Appellant and the Respondent both understand English Language and having fully understood the termsto, they have signed the consent terns. Consent terms are taken on record and marked 'X' for identification. We accept the consent terms and expect the parties to act accordingly.

2. The marriage between two of them will stand dissolved in accordance with these consent terms only after the amount of Rs.20 lakhs is deposited by the Appellant in this Court, till then either of the parties will not remarry.

3. The parties have left to this Court to provide for the access. As stated in the consent terms the custody of the two minors will remain with Respondent

mother. The father/Appellant is to have access to them. We permit the father/Appellant to have access to the children either on the 2nd Saturday or Sunday and then on 4th Saturday or Sunday. He will visit the residence of the Respondent for that purpose by about 10.00 a.m. in the morning, take the children with him and return them on the same evening by about 5.00 p.m. Normally access will be on Saturday however, if there is any difficulty to either of the parties on the particular Saturday that party will intimate to the other party in advance in which case the access will be given on Sunday.

4. We are told that the children have vacation in Diwali then in Christmas and in the month of May. During all these 3 vacations the Appellant/father will have right to take the children with him during the first 1/3 part of all the 3 vacations. He will collect the children from the residence of the Respondent/mother and return them to her at the expiry of the 1/3 part. The exact dates will be worked out by the parties at their mutual convenience.

. The Appeal stands disposed of in these terms. Although the Decree is to be operative only on deposit of Rs.20 lakhs. As far as the provision of access is concerned the same will begin immediately.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)